REMARKS

In the Office Action dated March 23, 2005, Claims 1-9 and 12-15 were rejected under 35 U.S.C. §102(b) as being anticipated by Jesmanowicz et al. Claim 11 was rejected under 35 U.S.C. §103(a) as being unpatentable over Jesmanowicz et al. in view of Apkarian et al. Claim 10 was rejected under 35 U.S.C. §103(a) as being unpatentable over Jesmanowicz et al. in view of Kassai et al.

These rejections are respectfully traversed for the following reasons.

The Jesmanowicz et al. reference discloses a technique for displaying images of the brain that have been obtained in a sequence, during which a stimulation was present when some of the images in the sequence were acquired, but the stimulation was removed when other images in the sequence were acquired. As summarized at column 2, lines 41 through 60 of the Jesmanowicz et al. reference, an anatomical image of the subject's brain is displayed at a display screen together with a cursor and by moving the cursor over the anatomical image to a selected point, the time course of the underlying MRI data can be displayed as a graph. Because the underlying data points change in intensity, depending on whether the stimulation was present or not present, a time curve of the application of the stimulation can be derived, and displayed as well.

Another way of processing and displaying the data sets is disclosed in the Jesmanowicz et al. reference, which is summarized at column 2, lines 61 through 67. The data can be processed to obtain a functional image of the brain, and from the displayed image, a neurologist can select two image data

sets respectively acquired when the stimulation was present and when the stimulation was not present.

Therefore, in the Jesmanowicz et al. reference, all of the selectively displayed information is derived from the actual image data, i.e. this information is embodied in the image data. There is no information that is separate from the image data that is stored together with the image data, as set forth in the claims of the present application as originally filed.

In those original claims, each of independent claims 1 and 6 explicitly stated that information indicating whether the image was registered with or without stimulation of the subject is stored "together" with each image in the plurality of images. By stating that the images are stored "together" with this information, it is clear that this information must be something separate from or different than the image itself. There is no teaching in the Jesmanowicz et al. reference that the stimulation time curve, for example, even if created and than temporarily displayed on the screen, is stored "together" with the image data. In fact, there is no need in the Jesmanowicz et al. reference to store that time curve "together" with the image data, because the time curve has been derived from the image data and is therefore already embodied in the image data, and if it is ever needed again for display purposes, it can simply be again derived from the underlying image data.

Each of independent claims 1 and 6 has been amended to use the word "together" to refer it not only to the aforementioned information indicating whether the image was registered with or without stimulation of the subject, but also to refer it to "at least one image-related stimulation value" and "at

least one image-related evaluation correlation value." This clearly indicates that each of these information types is something separate from and different than the actual image, otherwise it would not be possible to store that information "together" with the image.

Moreover, in order to preclude interpretation of claims 1 and 6 as encompassing information that is derived from the image data, as in the Jesmanowicz et al. reference, each of independent claims 1 and 6 has been amended to state that the displayed image is comprised of picture elements (which is intended to be a generic term encompassing both pixels and voxels), and to further state that the aforementioned information is, in each case, independent of the picture elements.
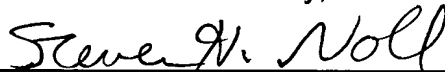
The Jesmanowicz et al. reference does not disclose storing any type of information "together with" the image data, and clearly does not disclose storing information that is independent of the voxels that form the stored image. The Jesmanowicz et al. reference, therefore, does not disclose all of the method steps of claim 1 nor all of the components of claim 6, and thus does not anticipate either of those claims. Claims 2-5 add further steps to the novel method of claim 1, and claims 7-9 and 12-15 add further components to the novel combination of claim 6, and therefore none of those dependent claims is anticipated by Jesmanowicz et al., for the same reasons discussed above in connection with claims 1 and 6.

Moreover, for the reasons discussed above, the Jesmanowicz et al. reference does not provide any suggestion to a person of ordinary skill in the field of displaying medical images to store the type information set forth in

claim 6 together with the image data, with the stored information being independent of the picture elements of the image. Therefore, even if the Jesmanowicz et al. reference were modified in accordance with the teachings of Apkarian et al., the subject matter of claim 11 still would not result, and even if the subject matter of Jesmanowicz et al. were modified in view of the teachings of Kassai et al., the subject matter of claim 10 still would not result. Neither claims 10 or 11, therefore, would have been obvious to a person of ordinary skill in the field of displaying medical image information under the provisions of 35 U.S.C. §103(a).

All claims of the application are therefore submitted to be in condition for allowance, and early reconsideration of the application is respectfully requested.

<div style="text-align:center">Submitted by,</div>

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